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September 17, 2025

Michael A. Cerone, Jr., Esq.
Legal Counsel
Passaic County Community College
1 College Boulevard
Paterson, NJ 07505

PCCC LETTER BEFORE LEGAL ACTION

Dear Mr. Cerone:

I write in my personal capacity as Lee Coffey, pro se plaintiff in *Coffey v. Sussex County Community College, et al.*, D.N.J. No. 2:25-cv-01264-JXN-JBC, to put Passaic County Community College ("PCCC") on formal notice. Your decision to install Jon Connolly as Acting Dean of Science & Technical Studies—at approximately $135,000/year—is indefensible as a matter of law and governance. It is reckless, arbitrary, and predictably exposes PCCC to the same spiral of reputational damage, regulatory scrutiny, and accreditation risk already confronting SCCC.

Yesterday, I attempted to attend PCCC's Board of Trustees meeting. The host blocked my entry, and my duly submitted public comment regarding Connolly was suppressed. That conduct violates New Jersey's Open Public Meetings Act (OPMA) and the First Amendment, enforceable through 42 U.S.C. § 1983 and the New Jersey Civil Rights Act (NJCRA).

JON CONNOLLY'S APPOINTMENT IS TOXIC AND INDEFENSIBLE

- Connolly is on recorded audio admitting to carrying a firearm on campus at SCCC specifically in connection with "the Lee Coffey situation" (FAC ¶ 238). That firearm possession violated SCCC's own written firearm policies (Nos. 600.02 & 600.03), New Jersey law (N.J.S.A. 2C:39-5(e)) and Federal law, namely the Gun-Free School Zones Act (18 U.S.C. § 922(q)). Additionally, the Statute of Limitations for Connolly's crimes expires in 2028, meaning he could be criminally indicted while employed by your institution. It is my understanding that the FBI is closely watching developments here.

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- Connolly's actions placed students, faculty, and staff at risk. As alleged and supported by recordings and contemporaneous materials, he weaponized institutional authority, made statements consistent with threats to life (including his own), and the situation escalated to the point that his firearm allegedly went missing on campus—an event that, on information and belief, was papered over by Sussex County's Executive Superintendent of Schools, Gayle Carrick.

- SCCC was compelled into remedial posture with its accreditor, the Middle States Commission on Higher Education (MSCHE), via a Supplemental Information Report. The new SCCC President now attributes core governance and safety failures to Connolly's misconduct—precisely the risk profile you have imported into PCCC.

- PCCC, under President Rose and the Trustees, has replicated this hazard by elevating Connolly into a top post. That is not judgment; it is institutional malpractice. You have imported a known governance toxin that already put SCCC under a compliance microscope.

- On information and belief, President Rose's hire of Connolly followed relationships cultivated through PCCC–SCCC initiatives (including nursing). The fact that the hire was effectively concealed from the public—buried in a flattened PDF within dense meeting-minute materials—supports the inference that PCCC was aware of Connolly's reputation and legal exposure prior to appointment.

Be advised: PCCC has now invited significant MSCHE and public scrutiny. The clock has only just started.

VIOLATIONS TODAY

- **OPMA.** Blocking me from attending a public meeting is a textbook violation. OPMA guarantees open access. Selective exclusion of a critic is precisely what the statute forbids.

- **First Amendment & NJCRA.** By opening a public-comment segment, PCCC created a limited public forum. In such a forum, government may enforce reasonable, viewpoint-neutral rules; it may not suppress speech because of its viewpoint. See *City of Madison Joint Sch. Dist. No. 8 v. WERC*, 429 U.S. 167 (1976); *Perry Educ. Ass'n v. Perry Local Educators' Ass'n*, 460 U.S. 37 (1983). The Third Circuit permits removal only for actual disruption, not disfavored content. See *Eichenlaub v. Twp. of Indiana*, 385 F.3d 274 (3d Cir. 2004); *Barna v. Panther Valley Sch. Dist.*, 877 F.3d 136 (3d Cir. 2017). My exclusion was retaliation for protected petitioning, not disruption.

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LITIGATION HOLD

Effective immediately, preserve all documents and ESI—including emails, texts, Zoom/Webex/Teams logs, recordings, host controls, chat/Q&A; exports, trustee/administration communications, and HR files—relating to:

1. Today's meeting, my attempted attendance, and my public-comment submission;
2. The recruitment, appointment, vetting, and compensation determination for Connolly;
3. Any communications referencing "Coffey," "Connolly," "public comment," or "meeting access"; and
4. Connolly's employment application(s), correspondence, text messages, and internal memoranda.

Confirm in writing within 7 days that a litigation hold has been implemented and identify custodians and systems placed on hold.

30-DAY RESOLUTION DEMAND

To avoid immediate litigation:

1. Remove Jon Connolly from employment at PCCC.
2. Issue a public statement acknowledging the appointment error and reaffirming PCCC's commitment to campus safety, lawful governance, and free speech.
3. Adopt and publish viewpoint-neutral procedures for meeting access and public comment.
4. Provide written assurances of non-retaliation against me and any member of the public who speaks on these issues.

If PCCC satisfies these terms within 30 calendar days, I will forbear immediate filing.

However, if PCCC declines to comply, I will:

- File an OPMA enforcement action in Passaic County Superior Court to enjoin further violations, void actions taken at the September 16, 2025 meeting, and recover fees;
- File a federal civil-rights action under 42 U.S.C. § 1983 and the NJCRA seeking declaratory and injunctive relief, nominal and compensatory damages, and attorney's fees; and

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- Notify MSCHE that PCCC knowingly elevated Connolly despite his recorded misconduct, thereby replicating the governance and safety failures that jeopardized SCCC's accreditation.

PCCC cannot hide behind Connolly. The Board and the institution bear full liability. You have 7 days to confirm the litigation hold and 30 days to cure prior to the initiation of legal proceedings.

Respectfully,

/s/ Lee Coffey

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